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Defendant.

ORDER

IT IS THEREFORE ORDERED that to the extent that plaintiff's Emergency Motion (#16) seeks an order requiring the depositions to go forward on November 18 and 19, 2010, it is denied.

Whether the ENE should be continued will be decided by Judge Johnston.

DATED this 15th day of November, 2010.



LAWRENCE R. LEAVITT
UNITED STATES MAGISTRATE JUDGE